

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

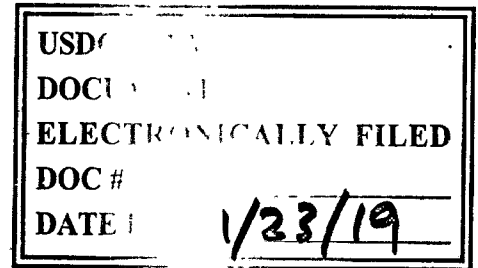
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UNITED STATES OF AMERICA : **ORDER GRANTING MOTION**
: **FOR ADJOURNMENT**
: 16 Cr. 467 (AKH)

-against-

MURRAY HUBERFELD

Defendant.



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ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant Murray Huberfeld’s request for an adjournment of the sentencing date is granted. The new sentencing date is February 12, 2019, at 2:30 p.m. There will be no further adjournments. The additional material in the updated PSR, revised as of January 17, 2019, is not new, as defendant alleges. The loss suffered by the Correction Officers Benevolent Association (“COBA”), as a potentially permissible element of sentencing Huberfeld, was discussed by the parties in memoranda submitted December 20, 2018, and the implications in Sentencing Guidelines calculations, different from those in the plea agreement, was obvious from the submissions. The Court has the obligation to fix a just sentence, and the parties’ submissions have given the Court all it needs.

Huberfeld's revised financial statements and the agreement between him and COBA have been submitted to the court, and the court is able to consider them. No adjournment on that account is necessary.


The Court has read the sentencing memoranda and the more than 150 letters that Huberfeld has submitted.

Sentencing of both Huberfeld and Seabrook each have been adjourned several times, and each understood that no further adjournments would be granted. Notwithstanding all of the above, I grant this adjournment because defendant claims a statutory right to comment on the allegedly new material and to have Probation consider defendant's comments. The clerk shall terminate the motion (ECF 284).

SO ORDERED.

Dated:

January 23, 2019
New York, New York


ALVIN K. HELLERSTEIN
United States District Judge